

**REMARKS**

Claims 1-9, 11-17, 19 and 20 are pending. By this Amendment, claims 1 and 11 are amended, claims 10 and 18 are cancelled and claims 19 and 20 are added. Claims 1 and 11 are amended to more clearly distinguish over the applied reference, as well as the Japanese publication, discussed below, which is submitted with the attached Information Disclosure Statement. Claims 10 and 18 are cancelled because they are redundant to amended claims 1 and 11. Claims 19 and 20 also are patentable over the applied reference and the above-referenced Japanese publication, as will be discussed below.

Support for the amendments to claims 1 and 11 can be found in the specification at, for example, paragraph 0072. Support for the features of claims 19 and 20 can be found in the specification at, for example, paragraphs 0014, 0062-0063, 0080-0081, and in the original claims. Thus, no new matter is added by these amendments.

The Examiner is requested to consider JP-A-2001-47890, which is submitted with the attached Information Disclosure Statement. Applicant also submits a machine-generated translation of that reference. The reference was cited in a recent Office Action from the Japanese Patent Office. The Japanese Examiner's comments on the Japanese publication are as follows:

"In a system for stopping a heat engine when the vehicle is stopped and certain conditions are satisfied, the transmission is controlled to be placed in a neutral state if the vehicle is stopped but a stop condition or conditions of the heat engine is/are not satisfied.

Here, the control for placing the transmission in the neutral state corresponds to 'controlling the driven device so as to reduce a load on the drive power source' as recited in claim 1."

Claims 1-18 stand rejected under 35 U.S.C. §112, second paragraph. The amendments to independent claims 1 and 11 overcome this rejection. Withdrawal of the rejection is requested.

Claims 1-18 stand rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,504,259 to Kuroda et al. This rejection is moot with respect to cancelled claims 10 and 18. This rejection is respectfully traversed with respect to the remaining, pending claims.

Kuroda et al. does not disclose or suggest an arrangement in which a driven device is controlled so as to reduce a load on a drive power source based on whether a driver of the vehicle is intending to stop the vehicle while a system that controls rotating and stopping of the drive power source is in a state where that system is not allowed to stop the drive power source, as recited in independent claims 1 and 11. As described in the specification, such an arrangement enables the load on the drive power source to be reduced even if the drive power source is not allowed to be stopped when a driver of the vehicle intends to stop the vehicle. See, for example, paragraphs 0004 and 0019. Kuroda et al. merely describes various situations where a drive power source such as a heat engine is stopped or restarted. However, Kuroda et al. does not disclose or suggest reducing a load on the drive power source (such as that heat engine) when a system that controls that drive power source is not allowed to stop the drive power source while the driver of the vehicle is intending to stop the vehicle.

Accordingly, independent claims 1 and 11, along with their dependent claims, are patentable over Kuroda et al.

With respect to independent claims 19 and 20, Kuroda et al. does not disclose or suggest an arrangement that determines a state in which a system that controls rotating and stopping of the drive power source is not allowed to stop the drive power source, wherein the state is at least one of a failed state and an abnormal state of at least one of a fuel injection device, an ignition device, a communication circuit, an inverter or a motor-generator. At

col. 13, line 58 - col. 14, line 14, Kuroda et al. discloses checking whether the switches for the neutral gear, a clutch pedal, and a brake pedal operate normally, as well as whether pulse signals indicating a running speed of the vehicle are output normally. However, Kuroda et al. does not disclose or suggest the features detailed above with respect to independent claims 19 and 20. Accordingly, claims 19 and 20 also are patentable over Kuroda et al.

JP-2001-47890 also does not disclose or suggest the features discussed above with respect to independent claims 1, 11, 19 and 20.

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe anything further would be desirable to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number set forth below.

Respectfully submitted,



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JAO:MAC/ccs

Attachments:

Petition for Extension of Time  
Information Disclosure Statement

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